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06.09.2023
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C.R.R.3191 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Projjal Kumar Middya @ Projjwal Kumar Midya
Versus
The State of West Bengal and another

Mr. Sk. Rejaul Alam.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.
Mr. Arijit Ganguly
Mr. Koushik Kundu.
...for the State.

Report submitted by Mr. Ganguly, learned advocate appearing for the State be kept with the record.

The revisional application was preferred challenging the charge-sheet which has been submitted in connection with Nandigram Police Station Case No.639 dated 23.12.2007.

The petitioner before this Court is one Projjal Kumar Middya @ Projjwal Kumar Midya.

Petitioner submits that he is about to receive a service on compassionate grounds but because of pendency of the present criminal case he is not being considered for the same.

Be that as it may, since the case was initiated in the year 2007 and the report of the Superintendent of Police, Purba Medinipur reflects that the accused persons have been evading the court in a designed manner, I direct that henceforth this particular case would be fixed every fortnight. If on two consecutive dates any accused is absent, learned court would cancel the bail of the said

accused. Prior notice be served through the Inspector-in-Charge, Nandigram Police Station. Charge is yet to be framed. Learned trial court will take efforts so that the charge is framed in this case by preponing the date and fixing a date in the first week of October, 2023. None of the accused persons who have been implicated in connection with the instant case will be allowed to leave the jurisdiction of Nandigram Police Station till the trial of the case is over. Their place of residence must be informed to the Inspector-in-Charge, Nandigram Police Station. The learned trial court would fix a schedule of three dates after the framing of charge and fix such schedule once in every 20 days so that the trial of the case is concluded at the earliest.

The Superintendent of Police, Purba Medinipur would assess in respect of ensuring the availability of the witnesses. The concerned trial court in seisin of the trial of the case would communicate directly with the Superintendent of Police, Purba Medinipur who has committed before the court that he would render all assistance regarding the availability of materials, documents and exhibits on the date so fixed by the learned trial court. All stakeholders are directed to co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 3191 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)